THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21641 of 2000

30.12.2005

Between:

D.Subhash Babu, S/o.late Hanumanth Rao

… Petitioner

AND

The Chief General Manager, Ramagundam Area,

RG-1, Godavarikhani, Karimnagar District.

And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21641 of 2000

ORDER:

The petitioner is an employee of Singareni Collieries working at Godavarikhani. He was dismissed from service on 23.3.1998. He raised industrial dispute before the Labour Court in I.D.No.100 of 1999. While the industrial dispute was pending, he was asked to vacate the quarters of the company bearing No.T2-164 near Bus stand colony. Therefore, he filed the present writ petition seeking a direction to the

respondents not to evict the petitioner during the pendency of I.D.No.100 of 1999 on the file of the Industrial Tribunal-cum-Labour Court, Godavarikhani. This Court while admitting the writ petition on 10.11.2000 passed interim orders directing the respondents not to evict the petitioner on condition of petitioner paying rents regularly. However, subsequently, by order dated 04.10.2002 made in W.V.M.P.No.2707 of 2002 having regard to the fact that I.D.No.100 of 1999 was dismissed by the Labour Court. On 12.1.2001, this Court vacated the interim order observing that the petitioner has no right to continue in the post. Further, in the counter affidavit filed by the Chief General Manager, Ramagundam Area-I, it is stated that the petitioner failed to pay the rents regularly and therefore, on 15.1.2001, the company took possession of the quarters. Though the counter affidavit is filed along with W.V.M.P., in September 2000, no reply affidavit is filed. Therefore, the counter averments stand unrebutted. As the petitioner already vacated the company quarters and the possession was taken over by the company, nothing survives in this writ petition.

The writ petition is accordingly dismissed. No costs.

_____

December 30, 2005. (**V.V.S. RAO,J**)

YS